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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/809,776  | 03/25/2004  | Barry Scott Hurewitz | 040002              | 7021             |
| 26285   | 7590        | 10/17/2007           | EXAMINER            |                  |
| KIRKPATRICK & LOCKHART PRESTON GATES ELLIS LLP<br>535 SMITHFIELD STREET<br>PITTSBURGH, PA 15222 |             |                      | ULRICH, NICHOLAS S  |                  |
|   |             | ART UNIT             | PAPER NUMBER        |                  |
|   |             | 2173                 |                     |                  |
|   |             | MAIL DATE            | DELIVERY MODE       |                  |
|   |             | 10/17/2007           | PAPER               |                  |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

|                              |                        |                     |  |
|------------------------------|------------------------|---------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                              | 10/809,776             | HUREWITZ ET AL.     |  |
|                              | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                              | Nicholas S. Ulrich     | 2173                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 17 July 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-4, 6, 9, 11, 12, 14-22, 24, 27, 29, 30, 32-35, 37, 40, 42, 43 and 45-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 46-48 is/are allowed.
- 6) Claim(s) 1-4, 6, 9, 11, 12, 14-22, 24, 27, 29, 30, 32-35, 37, 40, 42, 43, 45, 49 and 50 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 17 July 2007 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 5/21/2007.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

Art Unit: 2173

### **DETAILED ACTION**

1. Claims 1-4, 6, 9, 11-12, 14-22, 24, 27, 29-30, 32-35, 37, 40, 42-43, and 45-50 are pending.
2. Claims 5, 7, 8, 10, 13, 23, 25, 26, 28, 31, 36, 38, 39, 41, and 44 have been cancelled.
3. Claims 1 - 4, 6, 9, 11, 14, 17, 19, 21, 22, 24, 27, 29, 32, 33 -35, 37, 40, 42, and 45 have been amended.
4. Claims 46-50 have been added.
5. The information disclosure statement filed 5/21/2007 is being considered by the examiner.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 6, 9, 11-12, 14-22, 24, 27, 29-30, 32-35, 37, 40, 42-43, 45, and 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hazel (US 7188317 B1) in view of Baker et al (US 6338067 B1).

In regard to claim 1, Hazel discloses an interactive user interface, comprising:

a first field listing a focal item (*Column 2 lines 22-24: The scope window displays objects. Objects selected in the scope window is considered the focal item*); and at least one additional field containing a listing of items related to the focal item, wherein certain of the related items include a hyperlink which, when activated by the user, causes the item corresponding to the activated hyperlink to become a new focal item listed in the first field, such that the at least one additional field transitions to list items related to the new focal item (*Column 1 lines 45-49, Column 2 lines 24-29 and Column 9 lines 53-60: Hazel discusses displaying "n" windows that are related to the focal item. Hazel discusses selecting an object within a child window and changing focus to the child within the scope window. It is inherent through the disclosure that the other windows will transition to display information relating to the new focus item because the invention must maintain the relationship between the windows*).

Hazel fails to discloses "the focal item company", and "the listing of related items includes a listing of items identifying companies that are a supplier to the focal item company that receive a threshold percentage of their revenue through sales to the focal item company".

However, Baker discloses an investment analysis database that contains information about companies and there related customer, supplier and competitor companies (*Column 12 lines 48-59 and Abstract: when listing all companies that are supplier of company A, company A would be designated as the focal point and then a related window would show companies that are suppliers of company A. Same follows for listing customer and competitors. The database defines the relationships between*

Art Unit: 2173

*companies and Hazel invention would be used to display those relationships in a user-friendly manner).*

It would have been obvious to one of ordinary skill in the art, having the teachings of Hazel and Baker before him at the time the invention was made, to combine the user interface taught by Hazel to include the query driven database of Backer, in order to obtain an interactive user interface that displays information about a companies suppliers, competitors, and customers. One would have been motivated to make such a combination because Hazel's invention is directed towards a user interface for accessing queries from a database, and Baker teaches a database with queries.

In regard to **claim 14**, Hazel discloses a GUI for use with a database for presenting information to a user based on relationships within the data contained in a database (*Column 10 lines 19-40*) and having three windows with data relating to a focal item (*Column 7 line 60 to Column 8 line 2,*) and wherein certain of the related items include a hyperlink which, when activated by the user, causes the item corresponding to the activated hyperlink to become a new focal item listed in the first field, such that the additional field transitions to list items related to the new focal item (*Column 1 lines 45-49, Column 2 lines 24-29 and Column 9 lines 53-60: Hazel discusses displaying "n" windows that are related to the focal item. Hazel discusses selecting an object within a child window and changing focus to the child within the scope window. It is inherent through the disclosure that the other windows will transition*

Art Unit: 2173

*to display information relating to the new focus item because the invention must maintain the relationship between the windows).*

Hazel fails to discloses "the focal item includes an identifier for a company", "the listing of related items in a second field includes a listing of items identifying companies that are a supplier to the focal item that receive a threshold percentage of their revenue through sales to the focal item", "the listing of related items in a third field includes a listing of items identifying companies that are a customer of the focal item from which the focal item receives a threshold percentage of its revenue", and "the listing of related items in a fourth field includes a listing of items identifying companies that are competitors of the focal item".

However, Baker discloses an investment analysis database that contains information about companies and there related customer, supplier and competitor companies (*Column 12 lines 48-59 and Abstract: when listing all companies that are customers of company A, company A would be designated as the focal point and then a related window would show companies that are customers of company A. Same follows for listing suppliers and competitors. The database defines the relationships between companies and Hazel invention would be used to display those relationships in a user-friendly manner*)

It would have been obvious to one of ordinary skill in the art, having the teachings of Hazel and Baker before him at the time the invention was made, to combine the user interface taught by Hazel to include the query driven database of Backer, in order to obtain an interactive user interface that displays information about a

Art Unit: 2173

companies suppliers, competitors, and customers. One would have been motivated to make such a combination because Hazel's invention is directed towards a user interface for accessing queries from a database, and Baker teaches a database with queries.

In regard to **claim 19**, Hazel discloses a system for providing an interactive user interface to a user, the system comprising:

a server for serving a document containing the interactive user interface via a network to the user, the interactive user interface including (*Column 4 line 56 – Column 5 line 16*):

*a first field listing a focal item (Column 2 lines 22-24: The scope window displays objects. Objects selected in the scope window are considered the focal item);*

*and at least one additional field containing a listing of items related to the focal item, wherein certain of the related items include a hyperlink which, when activated by the user, causes the item corresponding to the activated hyperlink to become a new focal item listed in the first field, such that the at least one additional field transitions to list items related to the new focal item (Column 1 lines 45-49, Column 2 lines 24-29 and Column 9 lines 53-60: Hazel discusses displaying two windows that are related to the focal item. Hazel discusses selecting an object within a child window and changing focus to the child within the scope window. It is inherent through the disclosure that the other windows*

*will transition to display information relating to the new focus item because the invention must maintain the relationship between the windows);*

and a database in communication with the server for storing data about the items (*Column 10 lines 20-21: retrieved from a database*).

Hazel fails to discloses “the focal item company”, and “the listing of related items includes a listing of items identifying companies that are a supplier to the focal item company that receive a threshold percentage of their revenue through sales to the focal item company”.

However, Baker discloses an investment analysis database that contains information about companies and there related customer, supplier and competitor companies (*Column 12 lines 48-59 and Abstract: when listing all companies that are customers of company A, company A would be designated as the focal point and then a related window would show companies that are customers of company A. Same follows for listing suppliers and competitors. The database defines the relationships between companies and Hazel invention would be used to display those relationships in a user-friendly manner*)

It would have been obvious to one of ordinary skill in the art, having the teachings of Hazel and Baker before him at the time the invention was made, to combine the user interface taught by Hazel to include the query driven database of Backer, in order to obtain an interactive user interface that displays information about a companies suppliers, competitors, and customers. One would have been motivated to

Art Unit: 2173

make such a combination because Hazel's invention is directed towards a user interface for accessing queries from a database, and Baker teaches a database with queries.

In regard to **claim 33**, method claim 33 corresponds generally to user interface claim 1 and recites similar features in method form, and therefore is rejected under the same rationale.

In regard to **claim 49**, user interface claim 49 corresponds generally to user interface claim 1 and recites similar features, and therefore is rejected under the same rationale. The only difference between claim 1 and claim 49 is that the user interface is claimed to display customers instead of suppliers. The cited passage in the rejection of claim 1 covers both customers and suppliers.

In regard to **claim 50**, system claim 50 corresponds generally to user interface claim 1 and recites similar features in system form, and therefore is rejected under the same rationale. The only difference between claim 1 and claim 50 is that the user interface is claimed to display customers instead of suppliers. The cited passage in the rejection of claim 1 covers both customers and suppliers.

In regard to **claim 2, 16, 21, and 34**, Hazel discloses wherein certain of the related items in the additional field include indicia of the relation to the focal item (*Fig 3*

and Column 9 line 4: *The second window shows “children of hmdemo” and is labeled as such).*

In regard to **claim 3,18, 32, and 45**, Hazel discloses a focal item input field in which the user may input an identifier for a new focal item (*Column 2 lines 58-65: The user can select the focal item from a list of potential focal items. Therefore there is provided an input field for selecting the focal item*).

In regard to **claims 4, 17, 22, and 35**, Hazel discloses wherein the indicia includes at least one of a graphical representation and a color-coded representation of the relation to the focal item (*Fig 3*).

In regard to **claims 6, 24, and 37**, Baker further discloses wherein the focal item includes the stock trading ticker symbol of the company (*Column 8 lines 46-48: The company record includes ticker symbol fields*). It would have been obvious at the time of the invention to use ticker symbols to identify companies because an investor can better identify companies of interest.

In regard to **claims 9, 27 and 40**, Hazel discloses a GUI for use with a database for presenting information to a user based on relationships within the data contained in a database (*Column 10 lines 19-40*) and having three windows with data relating to a focal item (*Column 7 line 60 to Column 8 line 2*).

Hazel fails to discloses "the listing of related items in a third field includes a listing of items identifying companies that are a customer of the focal item company and from which the focal item company receives a threshold percentage of its revenue".

However, Baker discloses an investment analysis database that contains information about companies and there related customer, supplier and competitor companies (*Column 12 lines 48-59 and Abstract: when listing all companies that are customers of company A, company A would be designated as the focal point and then a related window would show companies that are customers of company A. Same follows for listing suppliers and competitors. The database defines the relationships between companies and Hazel invention would be used to display those relationships in a user-friendly manner*)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Baker to Hazel's invention because one of ordinary skill in the art would be motivated to provide a user interface for displaying relationships between companies for a investment analysis. The motivation is provided by Hazel because he describes the use of his user interface for displaying relationships found within a database.

In regard to **claims 11, 29, and 42**, Hazel discloses a GUI for use with a database for presenting information to a user based on relationships within the data contained in a database (*Column 10 lines 19-40*) and having three windows with data relating to a focal item (*Column 7 line 60 to Column 8 line 2*).

Art Unit: 2173

Hazel fails to discloses "the listing of related items in a third field includes a listing of items identifying companies that are a competitors of the focal item company".

However, Baker discloses an investment analysis database that contains information about companies and there related customer, supplier and competitor companies (*Column 12 lines 48-59 and Abstract: when listing all companies that are competitors of company A, company A would be designated as the focal point and then a related window would show companies that are competitors of company A. Same follows for listing suppliers and customer. The database defines the relationships between companies and Hazel invention would be used to display those relationships in a user-friendly manner*)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Baker to Hazel's invention because one of ordinary skill in the art would be motivated to provide a user interface for displaying relationships between companies for a investment analysis. The motivation is provided by Hazel because he describes the use of his user interface for displaying relationships found within a database.

In regard to **claims 12, 15, 30, and 43**, Hazel disclose an associated mouse over (*Column 14 Tool Tip Support*)

In regard to **claim 20**, Hazel discloses an alert engine in communication with the database for sending an alert message via the network to the user (*Column 11 lines 14-19*).

### ***Allowable Subject Matter***

7. Claim 46-48 are allowed.

### ***Reasons for Allowable Subject Matter***

8. Claims 46-48 are directed towards a system, method, and user interface for displaying supply chain information. The claims recite **(A)** a first field listing a focal item; and **(B)** a second field containing a listing of items related to the focal item, **(Bii)** wherein certain of the related items in the second field include a hyperlink which, when activated by the user, causes the item corresponding to the activated hyperlink to become a new focal item listed in the first field, such that the second field transitions to list items related to the new focal item, **(Ai)** wherein the focal item includes one of an identifier for a company or an identifier of an economic indicator; and the second field includes: **(Ai1)** when the focal item is an identifier for a company, a listing of items identifying companies that are selected from the group consisting of customers, suppliers or competitors of the focal item; and **(Ai2)** when the focal item is an identifier of an economic indicator, a listing of items identifying companies whose stock price is known to change with changes to the economic indicator.

Art Unit: 2173

The prior arts of reference, Hazel and Baker, combined together teach limitations A, B, Bii, Ai, and Ai1. Please see section "Response to Arguments" below for a detailed explanation of how Hazel and Baker teach or suggest the limitations.

Hazel and Baker fail to teach or suggest limitation Ai2, wherein the second field includes "a listing of items identifying companies whose stock price is known to change with changes to the economic indicator". A detailed search of patent documents and non-patent literature yielded no significant sources that suggest or teach listing of items identifying companies whose stock price is known to change with changes to the economic indicator. In fact, as one skilled in the art would know, to gather this kind of information would require extensive research and analysis on market and economy trends over a significant time period to determine exactly which company stocks are affected by changing economic indicators like CPI and GDP. The prior art yielded no significant sources that suggested this teaching. Therefore, independent claims 46-48 are allowable over the prior art.

#### ***Response to Arguments***

9. In response to applicant's arguments that the combination of Hazel and Baker fail to teach or suggest the features of amended claim 1, the examiner disagrees.

As noted by the applicant, in order to combine the two references three basic criteria must be met: (1) there must be some suggestion or motivation to modify the reference or to combine reference teachings; (2) there must be a reasonable

expectation of success; and (3) the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The motivation to combine the references is simply that fact that Hazel's invention is directed towards a user interface that receives query driven data from a database (see abstract lines 10-11, Column 2 lines 21-30, and Column 10 lines 19 –24) and Bakers invention is a database. Since Hazel's invention is designed to interact with a database, it would be obvious to one skilled in the art, that Hazels invention could be combined with the database of Baker. This also provides a reasonable expectation of success. Since Hazel deals with query driven data from a database, and Baker is a database with queries, there is no reason why the combination would not be successful.

The combination of Hazel and Baker does teach or suggest all the claim limitations of claim 1for the reasons stated below.

Claim 1 states an interactive user interface, comprising: **(A)** a first field listing a focal item company; and **(B)** at least one additional a second field containing a listing of items related to the focal item company, **(Bi)** wherein the listing of items in the second field comprises a listing identifying companies that are a supplier to the focal item company that receive a threshold percentage of their revenue through sales to the focal item company, **(Bii)** wherein certain of the related items in the second field include a hyperlink which, when activated by the user, causes the item corresponding to the activated hyperlink to become a new focal item company listed in the first field, such that the at least one additional second field transitions to list companies that are a

Art Unit: 2173

supplier items-related to the new focal item company that receive a threshold percentage of their revenue through sales to the new focal item company.

The combination of Hazel and Baker would cover limitations A and B. Hazel discusses the use of a scope window and plurality of primary display windows, which are linked to the scope window (See Figure 2). Baker discusses an association type record, which identifies why two entities are related, including customers, suppliers, and competitors (See Column 12 lines 48-59). Therefore, by combining Hazel and Baker, we would arrive at a scope window that defines a company, and at least one additional window that contains listings of a company association type record, because the primary display windows of Hazel are designed to display objects linked to the scope window (See Hazel Column 5 lines 53-54).

The combination of Hazel and Baker would further cover limitation Bi. The first primary display window displays linked objects to the scope window. Baker defines company association type record, which identifies suppliers of a particular company. Baker even provides an example "list all of the customers for company A". This is only an example and could easily be translated to list all suppliers for company A. Since the supplier to a company provides some kind of good or service to that company for a price, it is inherent that any supplier listed receives some percentage of revenue through sales to the company. Whether that percentage is very small, .0001%, or large, 100%, the company would not be a supplier, unless they were accumulating revenue from the company they are a supplier to. Therefore, by combining Baker and Hazel, we would arrive at a second field that displays companies which are suppliers to the scope

Art Unit: 2173

window company, that receive a threshold percentage of revenue from the scope company.

The combination of Hazel and Baker would further cover limitation Bii. Hazel discusses how the invention links objects back to the scope window. A command or selection issued from an object window may change the focus of the scope window (see Column 1 lines 45-49). So when the primary display window is listing companies that are suppliers to the company listed in the scope window, a selection of an object (supplier company) listed in the primary display window, would result in the scope window changing to list the selected company from the selected company in the primary display window. Then the primary display window would transition to display a company association record associated with company now listed in the scope window (See Hazel Column 9 lines 48-60 and Column 10 lines 20-40).

10. The reasons listed above are analogous to independent claims 14, 19, and 33.

***Conclusion***

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas S. Ulrich whose telephone number is 571-270-1397. The examiner can normally be reached on M-TH 9:00 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 571-272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2173

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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